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EXAMINER
BELOUSOV, ANDREY

ART UNIT	PAPER NUMBER
2174	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

	Application No.	Applicant(s)
Office Action Summary	10/815,053	WACHHOLZ-PRILL ET AL.
	Examiner	Art Unit
	ANDREY BELOUSOV	2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 September 2008</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
  application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

This action is responsive to the filing of 9/5/2008. Claims 1-24 are pending and

have been considered below.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or
> in public use or on sale in this country, more than one year prior to the date of application for
> patent in the United States.

Claims 1-6, 11 -1 8, 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by

Motley et at., (The Motley Fool, www.fool.com, May 16, 2001 as per WayBackMachine,

http://www.archive.org/.)

Claim 1, 13: Motley discloses a method of displaying a portal page (Fig. 6: 60)

registered within a web-based portal (Fig. 6) that includes portal pages (Fig. 6, 7)

registered within a web-based architecture and navigation options (Fig. 6: 64) linked to

different ones of the registered portal pages, the method comprising:

     a. providing, from a server (Fig. 2: www.fool.com server) and to an access device

           (personal computer), information (HTML, JavaScript, and/or java files of Fig. 6),

           to provide a display of a selected first registered (Fig. 6) portal page that includes

           a hyperlink (Fig. 6: 62: "Folders") to a second registered portal page (Fig. 7: 70),

           wherein the display is provided within a displayed navigation framework that also

includes a navigation menu (Fig. 6: 64) managed separately from the first

registered portal page (pg. 1-23) for user selection of any multiple navigation

options, each corresponding to a visual configuration (Fig. 6: 64, Fig. 7: 74) of the

navigation menu;

b. receiving, at the server, an input indicating user selection of the displayed

hyperlink (selection of "Folders" hyperlink: Fig. 6: 62) to the second registered

portal page;

c. providing, from the server to the access device,

   a. information (html andlor JavaScript files of Fig. 7) to provide a display of

      the second registered portal page within the displayed navigation

      framework, and

   b. information that causes the navigation menu to emulate (the menu takes

      on a visual configuration as if the "Discussion Boards" navigation option

      was selected, followed by the "Folders" sub-menu navigation option.

      "Discussion Boards" is highlighted Fig. 7: 76, and "Folders" is colored in

      red Fig. 7:78), separately from the first registered portal page (pg. 1 -23), a

      selection of one of multiple navigation options that is associated with the

      second registered navigation page.

Claim 2, 14: <u>Motley</u> discloses the method of claim 1 wherein the information that

causes the navigation menu to emulate the selection of the navigation option linked to

the second navigation option includes a display indicator describing the second

registered portal page to be displayed (Fig 6: 63.)

Claim 3, 15: <u>Motley</u> discloses the method of claim 1 further comprising processing

(receiving the input of a selection of "Folders" and subsequently returning the

corresponding page (Fig. 7) inherently includes processing) the input (clicking the

"Folders" link: Fig. 6: 62) received from the access device by identifying a registered

target web page (Fig. 7) from a plurality of target web pages (Fig. 6: "Folders," (Fig. 7)

"Best of," (Fig. 8) "Favorites & Replies," "Customize," and "Help") included in the

displayed navigation framework (Fig. 6, 7.)

Claim 4, 16: <u>Motley</u> discloses the method of claim 3 wherein processing the input

comprises parsing the input for at least one service request ("Folders" service request),

the at least one service request identified (Fig. 7 page) in the target web pages (Fig. 6:

"Folders," (Fig. 7) "Best of," (Fig. 8) "Favorites & Replies," "Customize," and "Help")

included in the displayed navigation framework (Fig. 7: 76, 78.)

Claim 5, 17: <u>Motley</u> discloses the method of claim 4 wherein processing the input

comprises:

    a. transmitting a selectable list of target web pages (Fig. 7: 72) in response to the

        input, the selectable list of target web pages identifying a plurality of target web

pages that include a service ("Folders" service) matched to the at least one

service request (request for "Folders"); and

b. processing one of the selectable list of target web pages based on a selection

from the selectable list (clicking on Stocks A to Z: Fig. 7.)

Claim 6, 18: <u>Motley</u> discloses the method of claim 3 wherein processing the input

comprises selecting one of the plurality of target web pages included in the portal

framework using a user role (Fig. 6:61.)

Claim 11, 23: <u>Motley</u> discloses the method used in generating a portal page (Fig. 7) to

be registered within a portal structure that includes portal pages (Fig. 7, 8) registered

within a portal framework and a navigation menu (Fig. 7: 74, 78) for multiple navigation

options linked to different ones of the registered portal pages (Fig. 7:78 "Folders" leads

to page of Fig.7, and Fig. 7:78 "Best of leads to page of Fig. 8), each of the multiple

navigation options corresponding to a visual configuration of the navigation menu (Fig.

7, 8 have different highlighting corresponding to the page), the method comprising:

a. assigning, for a portal page (Fig. 7 page) being generated, a service (Fig. 7 a

listing of "Folders" service, see pages 1 and 11 for meta data descriptors) in the

portal page to include the service in the portal page for generating data content

(content data from the html, pages 1 -23), the service preexisting within a service

provider (Fig. 2: stored on the server) and represented within a service definition

(see pages 1 and 11 for meta data descriptors) of the portal page; and

b. registering (i.e. linking and storing Fig. 7: 78 with the page Fig. 7: 70) the portal

page being generated and the service (Fig. 7: 70 listing of "Folders") included in

the portal page being generated with a portal navigation service (Fig. 2; web

server hosting www.fool.com), the portal navigation service being configured to

identify, upon receipt of a request (inherent HTTP request for serving a page)

that includes a service name (request for a listing of "Folders" service: Fig. 7: 70),

the generated portal page by performing a query using the requested service

name (URL for the "Folders" page, http page 1) to obtain a page identifier (an

inherent local file storage schema identification for the page as stored on the web

server host) for the generated portal page (Fig. 7; "Folders" page), the page

identifier obtained as being associated (is the equivalent to the service name)

with the requested service name.

Claim 12, 24: Motley discloses the method of claim 11 wherein registering the portal

page (Fig. 7) being generated and the service included (Fig. 7: "Folders") in the portal

page with the run-time service occurs upon storage of the portal page in a navigation

framework (i.e. www.fool.com server, Fig. 2.)

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 7-10, and 19-22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Motley</u>.

Claim 7, 19: <u>Motley</u> discloses the method of displaying a portal page (Fig. 7: Discussion

Board: Folders) registered (i.e. sorted and categorized: has a corresponding menu /

submenu) within a portal structure that includes portal pages registered (Fig. 7; Fig. 7:

Best Of - Fig. 10) within the portal structure and navigation options (Fig. 7: 74, 78) linked

to different ones of the registered portal pages (Fig. 7, 1 0) the method comprising:

    a. providing, from a server (Fig. 2: www.fool.com server) and to an access device

        (personal computer), information (HTML, JavaScript, and / or java files of Fig. 7)

        to provide a display of a selected first registered portal page that includes a

        hyperlink (Fig. 7: 71) to an unregistered portal page (Fig. 9), wherein the display

        is provided within a displayed navigation framework that also includes a

        navigation menu (Fig. 7: 74, 76, Fig. 8), managed separately from the first

        registered portal page (pg. 1 -23), for user selection of any of multiple navigation

        options, each corresponding to a visual configuration of the navigation menu

        (Fig. 7: 74, 76; Fig. 8);

    b. receiving, at the server, an input indicating user selection of the displayed

        hyperlink (selection of "Learning Together" hyperlink: Fig. 7: 71);

    c. providing, from the server to the access device,

      a. information (html and I or JavaScript files of Fig. 9) to provide a display of

         the selected unregistered portal page (Fig. 9), and

      b. information that causes the navigation menu to emulate, separately from

         the first registered portal page (pg. 1 -23), a selection of one of the

         multiple navigation options that is associated with a default navigation

         page (Home navigation option, without any submenus (e.g. News, Special

         Features, Investing Strategies, etc.) highlighted: Fig. 9) and that is not

         configured for navigation to any of the registered portal pages.

However, Motley does not explicitly disclose wherein the selection is not
configured for navigation to any of the registered portal pages. The Examiner takes
Official Notice that it is old and well known in web page design arts to have a 404 error
page. Therefore, it would have been obvious to one having ordinary skill in the art at the
time the invention was made to include a 404 error page not configured for navigation to
any of the registered portal pages with the disclosure of Motley as it would have been a
mere design choice to include or exclude certain navigation options on a 404 error
page.

Claim 8, 20: Motley discloses the method of claim 7 wherein the information that
causes the navigation menu to emulate the selection of the navigation option linked to
the default navigation option includes a display indicator describing the default
navigation page to be displayed (Fig. 7: 73.)

Claim 9, 21: <u>Motley</u> discloses the method of claim 7 further comprising processing the

input received from the access device by identifying a default navigation page (Fig. 9)

from a plurality of target web pages (Fig. 6, 8) existing in the displayed navigation

framework.

Claim 10, 22: <u>Motley</u> discloses the method of claim 9, wherein processing the input

comprises parsing the input for at least one service request, the at least one service

request not identified with the target web pages included in the displayed navigation

framework (has no corresponding menu I submenu category: Fig. 9: 90.)

Response to Arguments

4.   Applicant's arguments filed 9/5/2008 have been fully considered but they are not

persuasive.

        Applicant argues that the "management" of the navigation menu on line 7 of

claim 1 is limited to some form of single-server management of "generating" particular

information portions (navigation menu vis-à-vis first registered portal page) of the web-

based portal. Examiner respectfully disagrees. Such limitations, though might be found

in the specification of the application, are not recited in claim 1. The claim language

merely specifies provision (and not generation) of "information" that is managed

separately. The "management" in claim 1 may be reasonably (and broadly) interpreted

to mean code-wise separate portion management. Separation of the HTML source code

to separate and discrete portions is "management."

Applicant further argues, with respect to claims 1 and 11 that Motley does not

show any HTML suggestion that "any server-side activity has been requested from a

portal." Claim limitation to such an effect is not found in claim 1. Claim 1 merely recites,

and Motley reads upon, "an input indicating user selection", as received at a server.

With respect to claim rejection based on 35 U.S.C. 103, applicant argues that

inclusion or exclusion of certain navigation options on a 404 error page does not render

obvious the storage of a default navigation menu structure for use in displaying default

user selections options. The Examiner respectfully disagrees. Claim 11, in contrast to

the Applicant's assertion that the provision of information is as a direct result of

selection, is not limited to such causality, but is a mere provision of the information on

its own. The Official Notice taken is with regard to default 404 of pages, which in

combination with the disclosure of Motley which teaches navigation menus directed to

emulate the navigation scenarios of the pages to which the user is directed to, would

make it obvious to one of ordinary skill in the art to have a selection of multiple

navigation options as directed to a default navigation 404 scenario.

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew Belousov whose telephone number is (571)

270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-3800.

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB   /Steven P Sax/
                                                Primary Examiner, Art Unit 2174
November 26, 2008